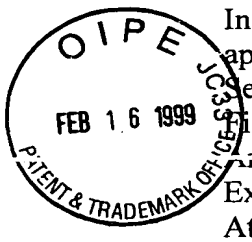
#6
5/11/99
Shw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the patent application of:	Claudio R. Ballard
Serial No.:	09/ 081,012
Filed:	May 19, 1998
Art Unit:	3642
Examiner:	Not yet assigned
Attorney Docket No.:	2000976-0009
For:	REMOTE IMAGE CAPTURE WITH CENTRALIZED PROCESSING AND STORAGE

Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20231

February 16, 1999

PETITION TO MAKE SPECIAL AND ACCELERATE EXAMINATION UNDER 37 CFR SECTION 1.102(d)

Sir:

The applicant herein respectfully petitions under 37 CFR § 1.102(d) and in accordance with MPEP § 708.02 VIII for the accelerated examination of the above captioned application. Applicant herewith encloses the fee set forth in 37 CFR § 1.17(i) of $130.00.

It is believed that all claims are directed to a single invention. Nevertheless, if the Office determines that all the claims are not directed to a single invention, the applicant will make an election without traverse. Since the applicant believes that all claims are directed to a single invention, should the Office determine otherwise, the applicant respectfully requests that established telephone restriction practice be followed and that the undersigned be contacted regarding an election.

A pre-examination search was conducted including the following classes/subclasses:

235/379; 235/380; 379/91; 379/96; 382/7; 382/112; 382/115; 382/119; 382/137; 382/140; 382/284; 382/306; 382/395; 395/216; 395/217; 395/224; 395/226; 395/235; 395/236; 395/237; 395/238; 395/239; 395/240; 395/241; 395/242; 395/243; 395/244; 395/245; and 705/45.

One copy each of the references deemed most closely related to the subject matter encompassed by the claims of the above captioned application are included in an Information Disclosure Statement, including PTO Form 1449, and in accordance with 37 CFR 1.97 and 1.98, filed concurrently herewith. The following is a detailed discussion of the references which points out with the particularity required by 37 CFR Section 111(b) and (c) how the claimed subject matter is patentable over the references.

Nally, U.S. Patent No. 4,201,978 is directed to a document processing system which provides the automatic reading of handwritten amount characters located on bank checks for use in processing checks through the banking system. Included within the system is an optical character reader, a magnetic image character reader and a central processor. The device is configured to read handwritten images from checks and store information in a bank computer. Nally '978 does not include any form of data access subsystem that is remote from a central data processing subsystem and linked by communication network.

Owens et al., U.S. Patent No. 4,264,808 is directed to a method and apparatus for electronic image processing of documents for accounting purposes, especially in a banking environment. This patent does not teach or disclose a communication network for the transmission of transactional data within or between one or more data access subsystems and at least one data processing subsystem. Owens et al. '808 is also limited to check processing and does not teach any form of electronic transaction or signature or biometric data capture.

Amemiya et al. U.S. Patent No. 4,694,147 is directed to a terminal for use in a bank in processing transaction slips at a teller station. There, a terminal installed for use by a customer reads a writing image on a deposit or withdrawal slip, recognizes certain items on the slip and a master unit installed for teller use receives and recognizes image data and transmits part of the data to a host system after the teller has confirmed and corrected the display data. The Amemiya et al. '147 patent provides no arrangements for capturing electronic data from credit cards, smart cards or biometric or signature data and does not provide any systems for polling remote data access subsystems nor does it generate any reports. Further, the system provides no data management nor any data access controller.

Yoshida U.S. Patent No. 5,144,115 is directed toward a transaction-inquiring apparatus that allows a user to inquire about various transactions from an ATM machine and conduct transactional steps based on information retrieved, such as paying power bills or other bills. This device provides no remote data access subsystem for capturing and sending paper transaction data nor does it include any central data process system for processing, sending, verifying or storing the paper transaction data. Further, there is no signature interface nor any biometric information interface and the device does not verify and store such data in a central location.

McClure U.S. Patent No. 5,173,594 is directed to a receipt generator to produce written receipts at remote locations. This system is activated by charge cards and includes a telecommunications service and maintains billing records which are supplied at predetermined intervals to a receipt transmission computer. The primary use for the McClure '594 device is to provide a written receipt to credit card customers that is available after the card is used at a location convenient to the consumer. This device does not include any form of paper transaction data capture apparatus nor does it include any arrangement for capturing signature data or biometric data. The McClure '594 device is limited in operation to provide a credit card receipt remote from the point of credit card use and does not provide the central identity data processing, verification and storage capabilities of the present invention.

Higashiyama et al. U.S. Patent No. 5,175,682 is directed to an apparatus and method for processing checks received by a merchant. The device is intended to speed up the process that a check goes through in "clearing" an issuing bank. The device provides a point of sale terminal such as cash register that reads certain information from the check. This information is stored and the check information verified. A return transmission allows a check, once it

has been put into a printer at the point of sale terminal, to be cancelled by the merchant. This device does not include any form of signature capture apparatus nor does it include any electronic or biometric data capture apparatus. The teaching of Higashiyama et al. '682 device is limited to its ability to verify and cancel checks at a point of sale.

Behera, U.S. Patent No. 5,187,750 is directed to a document processing, archival and printout system for handling customer checking accounts. This device essentially provides for optic recording of check information and storage of that information as digital customer accounts. The prime advantage for the Behera, et al., '750 device is that it provides for massive amounts of data to be stored. This device lacks any remote image capture and does not disclose any sort of information sharing network. Additionally, there is no encryption system in place between remote subsystems.

Ray et al. U.S. Patent No. 5,321,751 is directed to a method and apparatus for credit card verification. There, a digital image of the credit card holder is encoded into the magnetic strip or into smart cards. This information can be read by a data input device known as a "reader" in Ray et al. '751. This device sends the information to a processor which includes a display to display the encoded image of the card holder. Additionally, the image may be verified by a remote facility. This device does not capture paper transaction data nor does it store the data obtained beyond the verification process. Further, there is no provision in Ray et al. '751 for providing a signature interface or biometric interface. Nor is there any provision for a paper scanner to capture signatures and other printed matter.

Ray et al. U.S. Patent No. 5,436,970 is directed to the same type of image verification for credit cards that is the subject of Ray et al. '751 patent, and the comments directed to the Ray et al. '751 patent are equally valid when applied to the Ray et al. '970 patent.

Uhland, Sr., U.S. Patent No. 5,444,794 is directed to a check image capture system in the Uhland, Sr., '794 device, a check is subject to image production and processing of that image by a personal computer operated by a bank teller. The Uhland, Sr., '794 patent discloses an accounting system for maintaining customer accounts and sorting checks based on images. The Uhland, Sr., '794 device lacks any form of interconnected, encrypted network for large scale data gathering and storage.

Drexler et al. U.S. Patent No. 5,457,747 is directed to a system for deterring fraud in the use of magnetic stripe cards for electronic benefit transfer system such as welfare programs, state entitlement programs or the like. The Drexler et al. card includes two data storage areas with one of the data storage areas including biometric identifying information of an individual authorized to use the card. The second area is used to write data authorizing limited use of the card to obtain benefits. The Drexler et al. is for use with a reader that can read the biometric data from the card and compare the data with data stored in a library. This device does not include any form of device for capturing and sending paper transaction data to a central data processing system to verify and store the data.

Hills, et al., U.S. Patent No. 5,484,988 is directed to a point of sale terminal designed to read information from a consumer's check, credit card or manual input and communicate that information to a computer which will debit the account of a consumer. The transaction information is ultimately stored in a central computer. According to this system, and to the primary teachings of Hills, et al., '988, a transaction may be processed at the point of sale and at the time of purchase. This device does not disclose the use of internetworking of

subsystems with encrypted communication between subsystems and the image capture of documents in transaction data.

Bednar, et al, U.S. Patent No. 5,506,691 is directed to a method and apparatus for image processing remote from a central computer. This patent essentially teaches that certain functions related to image processing and retrieval should be performed at the remote site while other functions should be performed at the central computer. The Bednar, et al., '691 device is essentially limited to a device that will capture and store image data and does not include any sort of network or data sharing when the data is encrypted and encrypted communications occur between subsystems.

Blackwell, et al., U.S. Patent No. 5, 602, 933 discloses a method and apparatus for verifying remotely accessed data including data from a bank customer. Here, photographic and written data is obtained from a live bank customer and verified through the use of a computer. This device does not disclose any form of internetworking and encrypted data communication between subsystems.

Green, et al., U.S. Patent No. 5,602,936 is directed to a method and apparatus for recapturing data to allow institutions to have access to data that is already captured. This device does not disclose any form of network subsystem with encrypted communication between subsystems nor does it disclose any form of internetwork sharing of image information.

Smithies et al. U.S. Patent No. 5,647,017 patent discloses a computer-based method and system for capturing and verifying a handwritten signature. This device uses an image capture apparatus that takes certain measurements known as "act of signing measurements" at the time that the user signs the check. The result of this is that the signature capture module creates a checksum of the document that was signed which can be used at a later date to verify the document. The Smithies et al. system does not include any form of data management subsystem for maintaining various forms of captured data, such as biometric data or smart card data and does not maintain a central data processing subsystem for processing, sending, verifying and storing paper transaction data.

Houvener U.S. Patent No. 5,657,389 patent is directed to a system for positive identification of an individual primarily in the field of credit card use. A point of identity verification terminal is provided that includes an arrangement for inputting data presented by a particular individual. A database storage and retrieval site include a plurality of digital image data,unique to persons being identified. An arrangement for exchanging data between the point of verification and the database site is provided. This device does not include any form of arrangement for capturing and sending paper transaction data nor does it include any means for processing, sending, verifying and storing any paper transaction data.

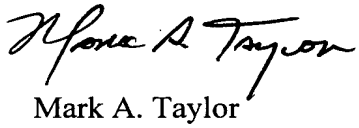
Riach, et al. U.S. Patent No. 5,751,842 is directed to a document transaction apparatus that functions as an ATM to accept a financial transaction for processing and to provide a detailed receipt containing printed details of the transaction together with an image of significant portions of the document. The primary teaching of Riach, et al., '842 is directed to the detailed nature of the receipt and the reproduction of portions of the transaction document on the actual receipt. In substantial contrast to the present invention, the Riach, et al., '842 device lacks any form of network subsystems which are in communication with one another through a secure network for sharing of check, document and other transaction data.

Carney, et al., U.S. Patent No. 5,781,654 is directed to a check authentication system to detect and prevent check fraud. This is essentially a security system that produces an image of a check, extracts predetermined information therefrom, converts this information to digits known as a "check digit" that is placed on the magnetic character line of the check. The check is then processed and if the information from the encoded line is different from the information on the check, this indicates that the check has been altered. The Carney '654 device is distinct from the present invention. This device lacks any network of subsystems that are interrelated and provide encrypted communication and data sharing therebetween.

Bleecker, III, et al. U.S. Patent No. 5,784,503 is directed to a check reader that obtains images of checks and transfers data as imaging-bits on a per document basis to various successive electronic processing stages and finally to a central data storage unit. In order to track the information, the system generates so-called "tag bits" for attachment to the information to identify the source document. The Bleecker, III, et al. '503 device fails to disclose any form of interconnected network of data access subsystems, intermediate data processing substations, and a central storage unit all interlinked through an encrypted network for capturing images from checks, credit card receipts and other documents to produce transaction data in association with the stored image.

Based on the above, it is respectfully requested that the present petition be allowed and that the present application be designated for accelerated examination.

Respectfully submitted,



Mark A. Taylor
Attorney for Applicant
Registration No. 35,706

Correspondence directed to:
J. Michael Martinez de Andino, Esq.
McGuire Woods Battle & Boothe LLP
One James Center
901 East Cary Street
Richmond, Virginia 23219-4030
Telephone: (804) 775-1033
Facsimile: (804) 698-2106

cc: J. Michael Martinez de Andino, Esq.